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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/044,026

01/11/2002

Mark N. Robins

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08/09/2005

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EXAMINER

CATHEY II, PATRICK H

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/044,026

Applicant(s)

ROBINS ET AL.

Examiner

Patrick H. Cathey II

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments, see Remarks, filed March 15<sup>th</sup>, 2005, with respect to the rejection(s) of claim(s) 1, 5-7, 16 and 19 under Brill et al. have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Amini et al.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim's 1, 4, 6-8, 10-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brill et al. (US 6,816,184) in view of Amini et al. (US 6,698,021).

As for Claim's 1, 6, 7, 12-16 Brill et al. teach an image processing algorithm that optically identifies objects in the digital image frame (Column 3, lines 3-12), a memory for storing at least one digital image frame (Column 7, lines 40-51), an object-to-event mapping table including a set of defined objects and a corresponding set of defined events, with an entry of the object-to-event mapping table mapping a particular object to a particular event where the processor uses the image processing algorithm to optically identify one or more objects in the digital image frame and uses the object-to-event mapping table to extract one or more events corresponding to the

one or more objects (Column 8, lines 35-53), and the image processing algorithm further includes a library of predetermined objects with each object in the library representing a predetermined event (Column 8, lines 42-53).

Brill et al. teach monitoring a room with a door inside the room (Column 5, lines 15-39). Brill et al. also shows a stored reference frame that includes the closed door in the frame (Column 7, lines 40-51). This reference frame is used to monitor if any changes occur in this frame which a door opening would qualify. Regardless, Brill et al. fail to specifically teach identifying a door opening event as a particular object, but Amini et al. does (Column 9, line 35 to Column 10, line 38). Since detecting a door opening is just one such example of an event in which the monitoring system is to detect, it would have been obvious to one of ordinary skill to include this feature of detecting a door opening as an important event in which to monitor in the Brill et al. invention. Also the lens focusing an image on the electronic image sensor, the lens being positioned in a room having a door, would be inherent in a camera system that is included in both the Brill et al. and Amini et al. inventions.

As for Claim's 4, 10 and 18, Brill et al. fail to specifically teach the memory further including an event storage that stores one or more events extracted from one or more digital image frames, but Amini et al. does (Column 13, lines 13-20). Since storing events that trigger the monitoring of areas in a surveillance system is simply recording the video images, it would have been obvious to recording the video frames that are important in monitoring an event because the event set the surveillance equipment into motion which would include either recording or displaying the video images.

As for Claim's 8 and 20, many of the limitations have been addressed in the above rejections. Brill et al. fails to specifically teach storing information that maps a predefined object to a sink use event, identifying an object in the digital image frame and determining whether a sink use event has occurred by determining whether the identified object matches the predefined object (Column 13, lines 13-20; Column 9, lines 35-47). Since Brill et al. does teach storing reference frames in order to compare current frame, it would have been obvious to one of ordinary skill to make certain event of importance to monitor because the certain events are what set all security system into an active state so all security system have some level of events that render the cameras active.

As for Claim's 11 and 19, many of the limitations have been addressed in the above rejections. Brill et al. teach comprising the step of waiting a predetermined time period after the detecting step before performing a subsequent capturing a digital image frame step (Column 8, lines 54-67).

Claim's 2, 3, 9 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brill et al. in view of Amini et al. and in further view of Budge et al. (US 6,359,560).

Brill et al. fails to specifically teach where the frame buffer comprises a circular frame buffer and where the digital image frame is discarded after the one or more events are extracted, but Budge et al. does (Column 8, lines 4-9 and 47-57). Circular buffers are used in most surveillance systems in order to keep the recording space free and discarding frames or images after they are extracted continues to use the circular

buffer in order to save recording space. Once the image or frame is recorded then you do not need the image on the circular buffer. Therefore, it would have been obvious to one of ordinary skill to use a circular buffer in order to save recording space and discard the images after they are extracted.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick H. Cathey II whose telephone number is (571)272-7326. The examiner can normally be reached on M-F 7:30 to 5:00 (Every other Friday off).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)272-7418. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patrick H. Cathey II  
Examiner  
Art Unit 2613

PHC

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SUPERVISORY PATENT EXAMINER  
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